

## **REMARKS/ARGUMENTS**

### **Amendments**

Before this Amendment, claims 1 – 38 were present for examination. No claims are amended, canceled, or added. Therefore, claims 1 – 38 remain present for examination, and claims 1, 14, 27, and 33 are the independent claims. Applicants respectfully request reconsideration of this application.

The Office Action has rejected claims 1 – 4, 7, and 14-23 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of Davis et al., U.S. Patent No. 5,764,980 (“Davis”), in view of the cited portions of Gagné, U.S. Patent No. 6,353,437 (“Gagné”). The Office Action has also rejected claims 11– 13 and 24 – 26 under 35 U.S.C. §103(a) as being unpatentable over Davis, in view of Gagné, and further in view of the cited portions of Gardner et al., U.S. Patent Publication No. 2004/0225608 (“Gardner”). The Office Action has also rejected claims 27-38 under 35 U.S.C. §103(a) as being unpatentable over Gagné, in view of the cited portions of Turner, et al., U.S. Patent No. 6,747,650 (“Turner”).

### **35 U.S.C. §103 Rejections**

#### **Claim 1**

The Office Action rejected independent claim 1 under 35 U.S.C. §103 as being unpatentable over Davis, in view of Gagné. To establish a *prima facie* case of obviousness, the cited references, combined with the knowledge of those of ordinary skill in the art, must teach or suggest all the claim limitations. See, e.g., *DyStar Textilfarben GmbH & Co. Deutschland KG v. C.H. Patrick Co.*, 464 F.3d 1356, 1360 (Fed. Cir. 2006); *KSR Int’l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007) (“a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art”). Applicants respectfully traverse this rejection at least because the combinations of Davis, Gagné, and ordinary knowledge in the art fails to teach or suggest all the recitations of independent claim 1.

Specifically, neither Davis nor Gagné can be relied upon to teach or suggest (1) a host system configured to (1) “audit the change to the first character or feature to determine whether at least one reusable characteristic from the pool of reusable characteristics defines a dependency between the change and a second character or feature of the animation project”; or (2) “when the host system determines that at least one reusable characteristic from the pool of reusable characteristics defines a dependency between the change and a second character or feature of the animation project, notify the computer of the dependency and provide the computer with access to the second character or feature of the animation project,” as recited in claim 1.

Apparently, Davis generally describes a production system with which multiple users can collaborate to create an animation product. Various types of file management routines and access controls are used to minimize unauthorized editing, unnecessary duplication, and other undesirable file handling. As correctly admitted by the Office Action, Davis does not disclose auditing changes for object dependencies or dependency handling, as recited by claim 1. Office Action, p. 4. In fact, Davis does not appear even to contemplate the types of reusable characteristic pools, dependencies, or notifications recited in the claims.

Instead, the Office Action apparently relies on Gagné as remedying the deficiencies of Davis. Id. citing Gagné, col. 10, ll. 41 – 48. It is true that the cited portion of Gagné discusses a certain type of kinematic relationship between elements of an animation character (e.g., joint node characteristics). However, Gagné does not appear to teach or suggest many of the claim recitations, including pools of reusable characteristics which the user is not authorized to change, auditing changes by one user against dependencies created by another user, notifying the computer of the dependency, providing the computer with access to the second character or feature of the animation project when a dependency is detected, etc.

Further, a combination of Davis and Gagné does not remedy the deficiencies of each reference standing on its own. For example, even if it were reasonable to combine Davis and Gagné, the combination would apparently result in a production system having file-level access control, where each file may be an object of a scene. There would still be no teaching or

suggestion of an access-controlled pool of reusable characteristics and auditing of dependencies using those reusable characteristics, as recited by claim 1.

For example, according to the recitations of claim 1, an animator is authorized to develop an animated chair for an animated feature. An animation administrator (e.g., from the first group of users) has created a reusable characteristic that defines a dependency between various chair objects and a floor object, all being developed by various other animators. The animator tries to develop the animated chair without data relating to the floor object. The host system may audit the development of the animated chair, determine that the animator is not properly accounting for the dependency on the floor object, notify the animator of the dependency, and provide the animator with access to the floor object. This may allow for substantially seamless integration of the animated chair with other objects (e.g., other chair objects, the floor object, etc.) in the animated feature.

On the contrary, even if Gagné is construed to generally discuss object dependencies, Gagné apparently does not contemplate a network of users having different types of authorization and interaction with the dependencies. For example, there is nothing in Gagné that would prevent the animator working on the chair to modify all its dependencies. Further, combining Gagné with the access controls of Davis would apparently just create an environment in which the chair object file is access controlled. That would still provide no dependency handling as recited by claim 1.

For at least these reasons, the Office Action fails to establish a *prima facie* case of obviousness as to independent claim 1, and Applicants respectfully request that the §103 rejections to claim 1 be withdrawn.

#### Claim 14

The Office Action has rejected independent claim 14 under 35 U.S.C. §103(a) as being unpatentable over Davis in view of Gagné. As discussed above, to establish a *prima facie* case of obviousness, the cited references, combined with the knowledge of those of ordinary skill in the art, must teach or suggest all the claim limitations. Applicants respectfully traverse this

rejection at least because the combination of Davis, Gagné, and ordinary knowledge in the art fails to teach or suggest all the recitations of claim 14.

Specifically, neither Davis nor Gagné can be relied upon to teach or suggest “assigning the at least one individual task to a second artist from the available artists at least partially as a function of a nationality or a geographic location associated with the second artist and a national law or an international treaty,” as recited in claim 14. The Office Action cites Davis (Col. 10, ll. 60 – 67) as teaching this recitation. Office Action, p. 9. However, the cited portion of Davis says nothing about “a nationality or a geographic location associated with the second artist and a national law or an international treaty,” as recited in claim 14.

The Office Action does not appear to provide any other teaching or suggestion of this recitation from Gagné, Davis, or any other art, or any reason why this recitation would be within the knowledge of a person of ordinary skill in the art. As such, the combined teachings of the art, as cited by the Office Action, fail to establish a *prima facie* case of obviousness as to independent claim 14, and Applicants respectfully request that the §103 rejections be withdrawn.

#### Claims 27 and 33

The Office Action has rejected independent claims 27 and 33 under 35 U.S.C. §103(a) as being unpatentable over Gagné in view of Turner. To establish a *prima facie* case of obviousness, the cited references, combined with the knowledge of those of ordinary skill in the art, must teach or suggest all the claim limitations. Applicants respectfully traverse this rejection at least because the combination of Gagné, Turner, and ordinary knowledge in the art fails to teach or suggest all the recitations of claims 27 and 33.

Specifically, neither Gagné nor Turner can be relied upon to teach or suggest “in response to a change in the at least one first characteristic during development of an animation object on a computer, sending notification to the computer indicating the dependence of the at least one first characteristic on the at least one second characteristic,” as recited in claim 27. Claim 33 includes a similar recitation. As discussed above with reference to claim 1, and as

correctly admitted in the Office Action, Gagné does not disclose object dependencies. *E.g.* Office Action, p. 12.

As in previous office actions, the present Office Action apparently relies only on Turner. Id. citing Turner, col. 1, ll. 38 – 47; col. 2, ll. 6 – 11). Even if the cited portions of Turner are construed as teaching dependencies, the dependencies are clearly used only to affect visualization of objects. For example, when two objects share a common characteristic, the visualization of the objects can be optimized according to that common characteristic. This is different from using the dependencies to affect collaborative design of animation objects.

For at least these reasons, both Gagné and Turner fail to teach or suggest the recitations of independent claims 27 and 33. Further, the Office Action does not provide any teaching from other art or reason why this recitation would be within the knowledge of a person of ordinary skill in the art. As such, the combined teachings of the art, as cited by the Office Action, fail to establish a *prima facie* case of obviousness as to independent claims 27 and 33, and Applicants respectfully request that the §103 rejections be withdrawn.

#### Dependent Claims

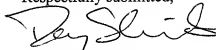
For at least the above reasons, Applicants submit that independent claims 1, 14, 27, and 33 are allowable. Applicants further submit that claims 2 – 13, 15 – 26, 28 – 32, and 34 – 38 are allowable at least because of their dependence from allowable base claims. As such, the cited art fails to establish a *prima facie* case of anticipation or obviousness as to the dependent claims, and Applicants respectfully request that the § 103 rejections to all the claims be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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